

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF MAY 14, 2010

(Published May 22, 2010, in *Finance and Commerce*)

Council Chamber  
350 South 5th Street  
Minneapolis, Minnesota  
May 14, 2010 - 9:30 a.m.

Council Vice President Lilligren in the Chair.

Present - Council Members Gordon, Reich, Hofstede, Schiff, Colvin Roy, Tuthill, Quincy, Glidden, Goodman, Hodges, Lilligren.

Absent – Council Member Samuels, President Johnson.

Schiff moved adoption of the agenda. Seconded.

Adopted upon a voice vote 5/14/2010.

Absent - Samuels, Johnson.

Schiff moved acceptance of the minutes of the regular meeting of April 30, 2010. Seconded.

Adopted upon a voice vote 5/14/2010.

Absent - Samuels, Johnson.

Schiff moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 5/14/2010.

Absent - Samuels, Johnson.

## PETITIONS AND COMMUNICATIONS

### **COMMITTEE OF THE WHOLE (See Rep):**

INTERGOVERNMENTAL RELATIONS (274236)

State 2010 Legislative Agenda: Minnesota Health Plan.

### **COMMUNITY DEVELOPMENT:**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274237)

Healthy Housing Research Presentation.

### **COMMUNITY DEVELOPMENT (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274238)

Land Sale: 416, 419 & 430- 30th Ave N and 2917-6th St N (Twin Cities Habitat for Humanity).

**COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274239)

Target Center Green Roof: Contract-26463 Change Order between the City & Stock Roofing.

Humboldt Greenway Redevelopment Project: Third Amendment to Land Conveyance Agreement.

GRANTS AND SPECIAL PROJECTS (274240)

2010 Housing Opportunities for Persons with Aids: Grant funding to Metropolitan Council Housing & Redevelopment Authority & Minnesota Aids Project.

**PUBLIC SAFETY AND HEALTH (See Rep):**

HEALTH AND FAMILY SUPPORT SERVICES (274241)

Public Health Advisory Committee: Rescind Resolution 2005R-438, as amended by Resolution 2010R-149, entitled "Approving and adopting a consolidated and amended resolution defining the role, function, size, composition and organization of the Public Health Advisory Committee for the Minneapolis Department of Health & Family Support", passed August 5, 2005; and Approve new Resolution re-establishing the role and composition of the Public Health Advisory Committee.

**PUBLIC SAFETY AND HEALTH and WAYS & MEANS/BUDGET (See Rep):**

HEALTH AND FAMILY SUPPORT SERVICES (274242)

School Based Clinics: Execute contract with Portico Healthnet to allow the Department of Health & Family Support to bill and receive reimbursement for mental health services rendered to students enrolled in the Portico Healthnet Care Plan; and Amend executed contract to provide required provider information should clinic staffing change.

Teenage Pregnancy Prevention: Authorize apply for five-year grant from the United States Department of Health and Human Services seeking \$1,000,000 per year for a project to replicate an evidence-based program model that has been proven to be effective in preventing teenage pregnancy.

Communities Putting Prevention to Work Grant: Execute contract with Minnesota Department of Health to accept \$2,220,933 to address obesity prevention in Minneapolis during calendar years 2010 through 2012; and Approve appropriation.

Youth Gang Prevention and Intervention Program: Authorize apply for grant from the United States Department of Justice seeking \$325,000 for a project to replicate the program BUILD to redirect the behavior of gang-affiliated youth and potential gang recruits and to increase the stability and safety of their communities.

**REGULATORY, ENERGY AND ENVIRONMENT (See Rep):**

LICENSES AND CONSUMER SERVICES (274243)

Camden Liquors (4155 Lyndale Av N): Approve Business License Operating Conditions relating to Off-Sale Liquor License.

Pinnacle Security (1290 Sandhill Rd, Orem, UT): Approve Business License Operating Conditions relating to Solicitor - Company License.

Latino Express Taxi (1300 E 66th St, Richfield): Approve License Settlement Conference recommendations relating to Taxi Service Company License.

LICENSES AND CONSUMER SERVICES (274244)

Licenses: Applications.

LICENSES AND CONSUMER SERVICES (274245)

Peter's Grill (114 S 8th St): Grant Sidewalk Cafe License.

Dusty's Total Tree Service (208 5th Av E, Cresco, IA): Approve Business License Operating Conditions relating to Tree Servicing.

**REGULATORY SERVICES (274246)**

Property at 401 Logan Av N: Approve demolition of structure.

**REGULATORY SERVICES (274247)**

Rental Dwelling License at 1903 Girard Av S: Revoke License held by Azzam Sabri.

**REGULATORY SERVICES (274248)**

Rental Dwelling License at 3644 Park Av: Revoke License held by William Cook.

**REGULATORY, ENERGY AND ENVIRONMENT and T&PW (See Rep):**

**PUBLIC WORKS/REGULATORY SERVICES (274249)**

Sewer Availability Charge (SAC) Program: Passage of Resolution rescinding Resolution 2004R-473 passed October 2, 2004; and approving a new Resolution establishing Service Availability Charge and Connection Charges to pay Reserve Capacity Costs in accordance with Metropolitan Council Environmental Service Division Policy and Pricing.

**PURCHASING (274250)**

Bid for Demolition of Apartment Building: OP #7284, accept low bid of BD Construction, LLC to accomplish the demolition and site clearance of an apartment building located at 2220 Marshall St NE.

**TRANSPORTATION AND PUBLIC WORKS:**

**PUBLIC WORKS AND ENGINEERING (274251)**

Hiawatha Avenue Intersection Evaluation: Operation of intersections, including signal operations.

**TRANSPORTATION AND PUBLIC WORKS Committee (See Rep):**

**PUBLIC WORKS AND ENGINEERING (274252)**

Tenth Ave SE Storm Tunnel Outlet Project: Authorizing negotiation and execution of easements.

Flood Area 1 Mitigation Pond: Agreement with Webber Camden Neighborhood Organization for sign naming pond "Camden Central Pond".

Accessible Pedestrian Signals: Agreement with Metropolitan Council.

Dowling Ave N Street Resurfacing Project No 2950 (Thomas Ave N to Washington Ave N): Project designation.

Shingle Creek Parkway (Humboldt Ave N to 45th Ave N) and 45th Ave N (44th Ave N to Lyndale Ave N) Street Resurfacing Project No 5210: Project designation.

**TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):**

**PUBLIC WORKS AND ENGINEERING (274253)**

Nicollet Ave Street Resurfacing Project No 5212: Project approval and assessment public hearing; Comments.

Chicago Ave Resurfacing Project No 5209: Project approval and assessment public hearing.

ABC Ramp Parking Facilities: Contract with IN Marketing and Design.

Bids: a) OP 7264, Accept low bid of Martin Marietta Materials for gray/black Class A aggregate; and b) OP 7269, Accept low bid of Standard Sidewalk, Inc. for construction of sidewalks, curbs, gutters, alleys, and drive approaches.

**WAYS AND MEANS BUDGET:**

FIRE DEPARTMENT (274254)  
2010 Budget Status Report.  
POLICE DEPARTMENT (274255)  
2010 Budget Status Report.

**WAYS AND MEANS BUDGET (See Rep):**

ATTORNEY (274256)  
Legal Settlement: Ronald Guy v. City of Minneapolis.  
BUSINESS INFORMATION SERVICES (BIS) (274257)  
DMZ 2.0 Project: Amend contract with Unisys to simplify and enhance the City's internet security.  
COMMUNICATIONS (274258)  
June 2010 Utility Billing Insert: On behalf of the 2nd Ward Office about recreational fires.  
HUMAN RESOURCES (274259)  
City of Minneapolis Medical Insurance: Authorize issuance for RFP for Medical Insurance for coverage effective January 1, 2011.  
REGULATORY SERVICES (274260)  
University of Minnesota TCF Bank Stadium: Execute contracts for the City to receive revenue from providing traffic management services.

**ZONING AND PLANNING (See Rep):**

HERITAGE PRESERVATION COMMISSION (274261)  
Appeal: Second Street Holding (518, 520, 520 1/2 2nd Street SE)  
Historic Variance Application: Tom Lincoln (510 7th Avenue SE)  
PLANNING COMMISSION/DEPARTMENT (274262)  
Vacation: Aeon (1105 8th Street S & 1401 11th Avenue S)

**FILED (See Rep):**

CHARTER COMMISSION (274263)  
Redistricting: a) Research on practices in other jurisdictions; b) Correspondence from Bryn Mawr Neighborhood Association; c) List of possible Charter changes; and d) Redistricting Task Force meeting summary and proposed Charter amendments.

*The following reports were signed by Mayor Rybak on May 19, 2010, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.*

## **REPORTS OF STANDING COMMITTEES**

### **The COMMITTEE OF THE WHOLE submitted the following report:**

**Comm of the Whole** - Your Committee now recommends that the City's agenda for the 2010 Legislative Session, adopted December 4, 2009, as amended, be further amended to include support for Senate File No. 118/House File No. 135 regarding health care availability and affordability for every Minnesotan.

Your Committee further recommends passage of the accompanying resolution in support of Senate File No. 118/House File No. 135.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-223, Supporting the Minnesota Health Plan (SF 118/HF 135), was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

### **RESOLUTION 2010R-223**

**By Glidden**

#### **Support for the Minnesota Health Plan.**

Whereas, approximately 13.9 percent of working age adults in Minneapolis and 6.9 percent of children in Minneapolis are without health insurance; and

Whereas, approximately 19.8 percent of adults in central Minneapolis neighborhoods (composed of Central, Phillips and Powderhorn communities) are currently uninsured and 15 percent of adults in north Minneapolis (composed of North and Camden communities) are currently uninsured; and

Whereas, approximately 70 percent of those people who are without health insurance are employed; and

Whereas, the Minnesota health plan would lower the cost of insurance through a single payer system for all Minnesota residents; and

Whereas, the Minnesota health plan supports the principals of the Resolution Regarding Health Care Access approved by the City Council on March 21, 2008; and

Whereas, 37 percent of Minnesota state legislators are co-authors of the Minnesota Health Plan;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis supports the Minnesota Health Plan.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**The COMMUNITY DEVELOPMENT Committee submitted the following reports:**

**Comm Dev** - Your Committee recommends passage of the accompanying resolutions authorizing sale of the properties at 416 - 30th Ave N for \$3,000; 430 - 30th Ave N for \$3,000; 419 - 30th Ave N for \$14,900 and 2917 - 6th St N for \$29,303 to Twin Cities Habitat for Humanity, Inc, subject to the following conditions:

- a) Land sale closings must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closings if land sale closings do not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-224, authorizing sale of land Vacant Housing Recycling Program Disposition Parcel Nos. VH-349 & VH-402 at 416 - 30th Ave N and 430 - 30th Ave N, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-224**

**By Goodman**

**Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel Nos. VH-349 & VH-402 at 416 - 30th Ave N and 430 - 30th Ave N.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels VH-349 and VH-402 in the Hawthorne neighborhood, from Twin Cities Habitat for Humanity, Inc., hereinafter known as the Redeveloper, the Parcels VH-349 and VH-402, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

**LEGAL DESCRIPTIONS:**

VH-349; 416 30th Avenue North: The East ½ of Lots 8 and 9, Block 10, Morrison's Addition to North Minneapolis, Hennepin County, Minnesota;

VH-402; 430 30th Avenue North: The West 48 ½ feet of Lots 8 and 9, Block 10, Morrison's Addition to North Minneapolis, Hennepin County, Minnesota; and

Whereas, the Redeveloper has offered to pay the sum of \$3,000 each, for Parcels VH-349 and VH-402 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcels; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on April 23, 2010, a public hearing on the proposed sale was duly held on May 4, 2010, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$3,000 each for Parcels VH-349 and VH-402.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the

Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-225, authorizing sale of land Vacant Housing Recycling Program Disposition Parcel Nos. VH-400 & TF-726 at 419 - 30th Ave N and 2917 - 6th St N, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-225**

**By Goodman**

**Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel Nos. VH-400 & TF-726 at 419 - 30th Ave N and 2917 - 6th St N.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels VH-400 and TF-726 in the Vacant Housing Recycling Program, from Twin Cities Habitat for Humanity, Inc., hereinafter known as the Redeveloper, the Parcels VH-400 and TF-726 being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

**LEGAL DESCRIPTIONS**

VH-400; 419 30th Avenue North: Lot 24, Payne and Henderson's Subdivision in Blocks 24 and 25 of Morrison's Addition to North Minneapolis, Hennepin County, Minnesota;

TF-726; 2917 6th Street North: Lot 4, Block 26, Morrison's Addition to North Minneapolis, Hennepin County, Minnesota;

Whereas, the Redeveloper has offered to pay the sum of \$14,751, for Parcel VH-400 and \$29,303 for Parcel TF-726; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a re-use value for the Parcels; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, April 23, 2010, a public hearing on the proposed sale was duly held on May 4, 2010, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value, for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$14,900, for Parcel VH-400 and \$32,200 for Parcel TF-726; however, in accordance with public purpose consideration and federal Neighborhood Stabilization Program guidelines, the City is selling Parcel VH-400 for the sum of \$14,751 and Parcel TF-426 for the sum of \$29,303.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:**

**Comm Dev & W&M/Budget** - Your Committee, having under consideration applications received for the 2010 Request for Proposal round of Department of Housing & Urban Development (HUD) Housing Opportunities for Persons with Aids (HOPWA) grant program, now recommends approval of funding from the City's 2010 HOPWA grant to Metropolitan Council Housing and Redevelopment Authority for \$465,750 and to the Minnesota Aids Project for \$482,300, and that the proper City officer be authorized to execute contracts necessary to implement said grant.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the contract change order between the City of Minneapolis and Stock Roofing for the Target Center green roof, now recommends that the proper City officers be authorized to amend Contract -26463, per the change order for unanticipated work items set forth in the Department of Community Planning & Economic Development (CPED) staff report.

Your Committee further recommends passage of the accompanying resolution increasing the CPED appropriation by \$304,533.32.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RESOLUTION 2010R-226**  
**By Goodman and Hodges**

**Amending the 2010 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Department of Community Planning and Economic Development NBA Arena Fund (01CPK - MCPKCIS-8900300-8900320) by \$304,533.32 from available fund balance.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the Humboldt Greenway Redevelopment Project, now recommends that the proper City officers be authorized to execute the third amendment to the Humboldt Greenway Land Conveyance Agreement between the City of Minneapolis and Hennepin County, as set forth in the Department of Community Planning & Economic Development (CPED) staff report.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**The PUBLIC SAFETY & HEALTH Committee submitted the following report:**

**PS&H** - Your Committee, having under consideration the Public Health Advisory Committee, now recommends passage of the accompanying resolutions:

a. rescinding Resolution 2005R-438, as amended by Resolution 2010R-149, entitled "Approving and adopting a consolidated and amended resolution defining the role, function, size, composition and organization of the Public Health Advisory Committee for the Minneapolis Department of Health & Family Support", passed August 5, 2005.

b. re-establishing the role and composition of the Public Health Advisory Committee.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RESOLUTION 2010R-227**  
**By Samuels**

**Rescinding Resolution No 2005R-438, as amended by Resolution 2010R-149, entitled "Approving and adopting a consolidated and amended resolution defining the role, function, size, composition and organization of the Public Health Advisory Committee for the Minneapolis Department of Health & Family Support", passed August 5, 2005.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution be and is hereby rescinded.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-228, re-establishing the role and composition of the Public Health Advisory Committee, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-228**

**By Samuels**

**Re-establishing the role and composition of the Public Health Advisory Committee.**

Whereas, the Public Health Advisory Committee, a standing advisory committee to the Minneapolis Department of Health & Family Support and the Minneapolis City Council, has been in existence through resolution since 1976 in accordance with the provisions of the Community Health Services Act (Minn. Laws 1976, Ch. 9); and

Whereas, changes to the public health system at the state and local levels necessitate that the responsibilities and composition of the Public Health Advisory Committee be updated to allow the committee to most effectively serve the City of Minneapolis; and

Whereas, the City Council values the efforts of the Public Health Advisory Committee to provide public health related advice which is representative of and takes into account the viewpoints, concerns and interests of the diverse Minneapolis community; and

Whereas, the City of Minneapolis finds the continued existence of the Public Health Advisory Committee benefits the citizens of the City;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Public Health Advisory Committee (PHAC) for the Minneapolis Department of Health & Family Support has the following responsibilities and composition:

**A. Role of the PHAC**

The role of the PHAC is to advise the City Council and the Department on policy matters affecting the health of Minneapolis residents, and to serve as liaisons between the City and the community in addressing health concerns. In this role PHAC shall make every effort to ensure that the concerns represented reflect the diverse viewpoints and interests of the Minneapolis community.

**B. PHAC Functions**

The Public Health Advisory Committee has responsibility for the following functions:

1. To advise the City Council regarding: a) policy matters affecting health of Minneapolis residents, and b) general roles and functions of the Department of Health and Family Support.
2. To review the proposed priorities of the Department of Health and Family Support and make recommendations to the City Council.
3. To consider complaints and views expressed by residents affecting delivery of public health services in Minneapolis, forward those concerns, and make recommendations as necessary to the City Council and/or the Department of Health and Family Support;

**C. Size and Composition**

The composition of the Public Health Advisory shall reflect the diverse interests and perspectives of the Minneapolis community. It is the expectation that all parties responsible for the recruitment, recommendations to and approval of members shall make every effort to ensure this diversity.

The PHAC will have up to twenty (20) members composed of fourteen (14) Resident Members and up to six (6) Other Representative Members. Members will not be compensated for service on the PHAC.

**1. Resident Member appointments.**

The fourteen (14) Resident Members will be selected by having each of the thirteen (13) City Council Members appoint one (1) Resident Member who lives or works in their respective wards, and one (1) Resident Member who lives or works in the City of Minneapolis shall be appointed by the Mayor. These Resident Member appointments and terms are subject to Minneapolis Code of Ordinances Title 2 Chapter 14.180. No public hearing is required for Resident Member appointments.

**2. Other Representative Member appointments.**

- a. The 6 Other Representative Members will be appointed by the City Council by requesting the following organizations to submit one (1) nominee representing their interests:

- The Minneapolis Public Schools, Student Support and Related Services;
  - Hennepin County Human Services and Public Health
  - The University of Minnesota School of Public Health
- b. The PHAC shall recommend up to three (3) at large nominees to the City Council for appointment.
- c. In addition, two (2) representatives from the Minneapolis Health and Human Services Leadership Group, one (1) from the Urban Health Professional Advisory Committee and one (1) from the Urban Health Agenda Community Advisory Committee, shall serve in an ex-officio non-voting capacity .

The other Representative Member appointments pursuant to this subsection C.2. shall be not be made pursuant to the open appointments process of Minneapolis Code of Ordinances Title 2 Chapter 14.180 and no public hearing is required for these appointments.

D. Organization, Term, Meeting Frequency

1. Continuity of membership will be assured by having an approximately equal number of terms expire each year.
2. All terms will be two years and no member will serve more than three consecutive terms.
3. The PHAC will elect a chairperson and vice-chairperson or co-chairs,
4. The PHAC shall establish its own operating rules and procedures and meeting schedule, provided that it meets at least six times each year to conduct its business.
5. Eight (8) members shall constitute a quorum.

E. Relationships between the PHAC, City Council and the Department of Health and Family Support

1. The City Council is the Board of Health and makes final decisions regarding policy and programs of the Department of Health and Family Support. The City Council's health-related Committee shall review and decide upon Department of Health and Family Support matters prior to final action by the City Council.
2. PHAC members are expected to communicate regularly with their respective appointing authority.
3. The PHAC is an advisory committee to the City Council and the Department of Health and Family Support.
4. The Department of Health and Family Support is responsible for providing staff assistance to the PHAC to carry out its advisory functions.
5. It is expected that the Department of Health and Family Support will give significant weight to the recommendations of PHAC. On those occasions when the Department cannot incorporate these recommendations into its policy and program operations, the Commissioner will provide explanation.
6. The Department of Health and Family Support staff will present department business to the health-related Committee. Such staff presentations shall include an explanation of how such activities fit within the framework of the priorities as approved by the PHAC.
7. While prime responsibility for presenting PHAC views rests with the Department of Health and Family Support staff, the PHAC may elect to designate its members to directly explain PHAC views to the health-related Committee.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**The PUBLIC SAFETY & HEALTH and WAYS & MEANS/BUDGET Committees submitted the following reports:**

**PS&H & W&M/Budget** - Your Committee, having under consideration services provided at the School Based Clinics, now recommends that the proper City officers be authorized to execute a contract with Portico Healthnet to allow the Department of Health & Family Support to bill and receive

reimbursement for mental health services rendered to students enrolled in the Portico Healthnet Care Plan. Further, that said executed contract be amended to provide required provider information should clinic staffing change.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**PS&H & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to apply for a five-year grant from the United States Department of Health and Human Services seeking an amount not to exceed \$1,000,000 per year for a project to replicate an evidence-based program model that has been proven to be effective in preventing teenage pregnancy, to be implemented for youth in grades 6 to 8.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**PS&H & W&M/Budget** - Your Committee, having under consideration the American Recovery and Reinvestment Act grant funding to address obesity prevention in Minneapolis during calendar years 2010 through 2012, now recommends that the proper City officers be authorized to execute a contract with the Minnesota Department of Health to accept the Communities Putting Prevention to Work grant, estimated in the amount of \$2,220,933, to improve park safety; strengthen biking and walking through enforcement efforts and infrastructure; increase access to locally grown foods in underserved neighborhoods; provide structured family recreational opportunities in school buildings; enhance *Safe Routes to School*; and advance the public's understanding of how policy, systems and environmental changes reduce obesity. Further, passage of the accompanying resolution appropriating \$2,220,933 to the Department of Health & Family Support.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RESOLUTION 2010R-229**  
**By Samuels and Hodges**

**Amending The 2010 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Health & Family Support Agency in the Grants – Federal Fund (01300-8600130) by \$2,220,933 and increasing the Revenue Source (01300-8600130-321014) by \$2,220,933.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**PS&H & W&M/Budget** - Your Committee, having under consideration youth gang prevention and intervention services, now recommends that the proper City officers be authorized to apply for an 18-month grant from the United States Department of Justice, seeking an amount not to exceed \$325,000, for a project to replicate the program BUILD (Boarder Urban Involvement and Leadership Development Detention Program) to target youth ages 11 to 17 years old to redirect the behavior of gang-affiliated youth and potential gang recruits and to increase the stability and safety of their communities.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**The REGULATORY, ENERGY & ENVIRONMENT Committee submitted the following reports:**

**RE&E** - Your Committee, having under consideration the application of PJA Enterprises Inc, dba Peters Grill, 114 S 8th Street, for a Sidewalk Cafe License (new business) to expire April 1, 2011, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Tree Servicing License held by Dusty's Total Tree Service, 208 5th Av E, Cresco, Iowa.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-230, approving Business License Operating Conditions relating to the Tree Servicing License held by Dusty's Total Tree Service, 208 5th Av E, Cresco, Iowa, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-230**

**By Glidden**

**Approving Business License Operating Conditions relating to the Tree Servicing License held by Dusty's Total Tree Service, 208 5th Av E, Cresco, Iowa.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Tree Servicing License held by Dusty's Total Tree Service, 208 5th Av E, Cresco, Iowa:

1. The licensee tree service business shall be limited to stump grinding and area clean up only. Licensee does not have a Certified Arborist and is restricted from any other type of tree service activities. Licensee must also comply with other requirements of tree service license.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Off-Sale Liquor License held by Camden Liquors, 4155 Lyndale Av N.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-231, approving Business License Operating Conditions relating to the Off-Sale Liquor License held by Camden Liquors, 4155 Lyndale Av N, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-231**

**By Glidden**

**Approving Business License Operating Conditions relating to the Off-Sale Liquor License held by Camden Liquors, 4155 Lyndale Av N.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Off-Sale Liquor License held by Camden Liquors, 4155 Lyndale Av N:

1. "No littering" signs will remain clearly posted on the exterior of the business.

2. The owner shall comply with the minimum standards assigned to surveillance cameras under Minneapolis Code of Ordinances 259.230. In addition, surveillance cameras must be posted in two locations to cover both the parking area and front of the building. Signs shall be posted alerting the public that the area is under camera surveillance.

3. The business agrees to remove all litter and debris within 100 feet of the property line four times per day. Those times shall include the starting and closing of the business. The business shall maintain a log of when litter/trash is monitored for pick up. The log shall list date and time of monitoring.

4. The business shall maintain a litter/trash receptacle in front of the business and in the parking area for customer use.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Solicitor - Company License held by Pinnacle Security, 1290 Sandhill Rd, Orem, Utah.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-232, approving Business License Operating Conditions relating to the Solicitor - Company License held by Pinnacle Security, 1290 Sandhill Rd, Orem, Utah, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-232**  
**By Glidden**

**Approving Business License Operating Conditions relating to the Solicitor - Company License held by Pinnacle Security, 1290 Sandhill Rd, Orem, Utah.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Solicitor - Company License held by Pinnacle Security, 1290 Sandhill Rd, Orem, Utah:

1. No solicitation shall be made at residences before 8 a.m. or after 8 p.m.
2. Each installation shall be conducted by a Licensed Power Limited technician or an Unlicensed Power Limited technician, registered with the State of Minnesota and those individuals are bona fide (W-2) employees of your company.
3. For each sale, the City "Solicitation Checklist" form shall be completed with one copy returned to the Licenses Office.
4. Assignment of monitoring contracts may only be to companies registered in the State of Minnesota to do business and having a MN tax ID number.
5. No alarm contract may renew without the signature of the customer.
6. The entire cancellation option statement shall be in 10 point type at a minimum as required by MN Statutes 325G.08 (b) and (c). The "Right to Cancel" section shall be perforated for easy separation from the contract.
7. The company shall operate the alarm system in test mode only for the first seven days to assure appropriate installation and use of the system as required by Minneapolis Ordinance Chapter 176. Unless the customer elects to waive this option by checking the box on the Compliance Checklist stating they currently have an alarm system and do not require training.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RE&E** - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-233, granting applications for Liquor, Wine and Beer Licenses, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-233**  
**By Glidden**

**Granting Liquor, Wine and Beer Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 274244):

**Off-Sale Liquor, to expire April 1, 2011**

South Lyndale Liquors Inc, dba South Lyndale Liquor, 5300 Lyndale Av S

**On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2011**

Avenue One Entertainment LLC, dba Bootleggers, 323 1st Av N

**On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2011**

Skyway Ventures LLC, dba Lure, 725 Hennepin Av (new proprietor)

Minikahda Club, dba Minikahda Club, Excelsior Blvd

**On-Sale Liquor Class A with Sunday Sales, to expire May 30, 2010**

Screaming Triangle LLC, dba Minneapolis Eagle, 515 Washington Av S (temporary expansion of premises, May 30, 2010, Northstar Classic Softball Tourney Closing Ceremony)

**On-Sale Liquor Class A with Sunday Sales, to expire June 19, 2010**

Screaming Triangle LLC, dba Minneapolis Eagle, 515 Washington Av S (temporary expansion of premises, June 19, 2010, Bingham Cup Rugby Tourney Closing Ceremony)

**On-Sale Liquor Class A with Sunday Sales, to expire June 26, 2010**

Screaming Eagle LLC, dba Minneapolis Eagle, 515 Washington Av S (temporary expansion of premises, June 25 & 26, 2010, TC Pride)

**On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2010**

Del SFA Inc, dba Sound Bar, 414 3rd Av N

**On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2011**

Bartum's Inc, dba Lone Tree Bar & Grill, 528 Hennepin Av (new shareholder/partner)

Bartum's Inc, dba Lone Tree Bar & Grill, 528 Hennepin Av

**On-Sale Liquor Class B with Sunday Sales, to expire May 26, 2010**

Joint/Caboose Operations LLC, dba Joint/Cabooze, 913 Cedar Av S (May 26, 2010, Noon to 10:30 p.m., Happy Daze Outdoor Event)

**On-Sale Liquor Class B with Sunday Sales, to expire August 14, 2010**

Fraternal Order of Eagles #34, 2507 E 25th St (temporary expansion of premises, August 14, 2010, 10:00 a.m. to 10:00 p.m.)

**On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 2011**

It's Greek to Me Inc, dba It's Greek to Me, 626 W Lake St

**On-Sale Liquor Class C-2 with Sunday Sales, to expire April 1, 2011**

Out of the Blue Ventures Inc, dba Cafe Maude, 2213 W 54th St

**On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2011**

Sawatdee Inc, dba Sawatdee Restaurant, 607 Washington Av S #100

**On-Sale Liquor Class E with Sunday Sales, to expire April 16, 2010**

Complete Beverage Services Inc, dba Darby O Ragens Inc, 401 3rd St N  
(April 12, 14, 15 & 16, 2010, 10:00 a.m. to 1:00 a.m., Minnesota Twins Home Opener)

**On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2010**

3 Monkeys Pub and Grub Inc, dba 3 Monkeys Pub and Grub Inc, 1410 Nicollet Av (permanent expansion of premises)

Lake Street Cafeteria LLC, dba Uptown Cafeteria & Support Group, 3001 Hennepin Av #1230 (new business)

**Temporary On-Sale Liquor**

The Basilica of St. Mary, dba Basilica Block Party, 88 17th St N (July 9 & 10, 2010, 5:00 p.m. to 10:30 p.m., Basilica Block Party)

**On-Sale Wine Class A with Strong Beer, to expire April 1, 2011**

Bedlam Theatre, dba Bedlam Theatre, 1501 S 6th St

**On-Sale Wine Class B with Strong Beer, to expire April 1, 2011**

Feiler Restaurant Holdings LLC, dba Casey's, 3510 Nicollet Av

**On-Sale Wine Class C-2 with Strong Beer, to expire April 1, 2011**

Cardinal Bar Inc, dba Cardinal Bar, 2920 E 38th St

**On-Sale Wine Class D with Strong Beer, to expire April 1, 2011**

El Plebe Restaurant, dba El Plebe Restaurant, 3200 Chicago Av

Riverview Cafe, dba Riverview Cafe, 3753 42nd Av S

Henpecked LLC, dba Kings, 4555 Grand Av S

Ruizena Inc, dba Cafe Ena, 4601 Grand Av S

**On-Sale Wine Class E with Strong Beer, to expire April 1, 2011**

Los Andes Restaurant LLC, dba Los Andes Restaurant, 317 W Lake St

Java J's Inc, dba Java J's, 700 Washington Av N #100

Kindee Inc, dba Kindee, 719 S 2nd St

B & W Specialty Coffee Company, dba Gigis Cafe, 824 W 36th St

Sabor Latino Inc, dba Sabor Latino Restaurant, 2505 Central Av NE

Katar River Restaurant & Bakery LLC, dba Katar River Restaurant & Bakery, 2751 Minnehaha Av

Jakeeno's Inc, dba Jakeeno's Pizza and Pasta, 3555 Chicago Av

Parkway Pizza Inc, dba Parkway Pizza, 4457 42nd Av S

Tumdee LLC, dba Ba Gu Restaurant, 4741 Chicago Av

**On-Sale Wine Class E, to expire April 1, 2011**

Patrick's French Bakery Inc, dba Patrick's Bakery & Cafe, 6010 Lyndale Av S

MDCA, dba Ecopolitan, 2409 Lyndale Av S

**Off-Sale Beer, to expire April 1, 2011**

961 Group Inc, dba Winner on 46, 400 E 46th St

Campbell Adriana & Jose F Ramirez, dba Cosecha Imports, 920 E Lake St #119

Abbaa Senaa LLC, dba Cedar Country Boy, 4164 Cedar Av S.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RE&E** - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-234, granting applications for Business Licenses, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-234**

**By Glidden**

**Granting applications for Business Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of May 14, 2010 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 274244):

Bowling Alley; Dry Cleaner - Nonflammable; All Night Special Food; Caterers; Confectionery; Food Distributor; Food Market Distributor; Grocery; Ice Producer - Dealer/Wholesale; Food Manufacturer; Food Market Manufacturer; Meat Market; Mobile Food Vendor; Restaurant; Food Shelf; Short Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Sidewalk Cart Food Vendor; Gasfitter Class A; Heating, Air Conditioning & Ventilating Class A; Motor Vehicle Repair Garage; Pet Shop; Plumber; Public Market; Rental Halls; Residential Specialty Contractor; Solicitor - Company; Swimming Pool - Public; Tattooist/Body Piercer; Tattooist/Body Piercer Establishment; Taxicab Vehicle - Fuel Efficient; Taxicab Vehicle; Taxicab Vehicle - Non-transferable; Theater Zone I; Tobacco Dealer; Combined Trades; Tree Servicing; Valet Parking; Wrecker of Buildings Class B.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RE&E** - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-235, granting applications for Gambling Licenses, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-235**

**By Glidden**

**Granting applications for Gambling Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances

(Petn No 274244):

**Gambling Exempt**

Theater Latte Da, dba Theater Latte Da, 1170 15th Av SE (Raffle July 28, 2010, Lake Harriet Bandshell, 4135 W Lake Harriet Pkwy).

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Taxi Service Company License held by Latino Express Taxi, 1300 E 66th St, Richfield.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-236, approving License Settlement Conference recommendations relating to the Taxi Service Company License held by Latino Express Taxi, 1300 E 66th St, Richfield, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-236**

**By Glidden**

**Approving License Settlement Conference recommendations relating to the Taxi Service Company License held by Latino Express Taxi, 1300 E 66th St, Richfield.**

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on March 22, 2010 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded that

a. the licensee and its agenda have violated multiple sections of the Minneapolis Code of Ordinances pertaining to the operation of unlicensed taxicabs and unlicensed taxi drivers in the City of Minneapolis on 19 different occasions from 2007 to 2010.

b. the licensee currently has a total of \$6,000 in outstanding administrative fines, and the licensee's agents currently have a total of \$1,250 in outstanding administrative fines;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. The City shall impose the \$6,000 outstanding for administrative citations #10-0747379, #10-0747382, and #10-0747385, with \$1,000 due within 90 days of the signing of this agreement. This amount shall be paid on a plan approved by the Licenses Department. The remaining balance of \$5,000 will be stayed for a period of two years, provided that the licensee has no same or similar violations during that time period.

2. The licensee shall pay outstanding administrative citations #08-0661452, #08-0661455, #10-0742866, and #10-0743460 issued to agenda doing business as Latino Express. The full amount of \$1,250 shall be due within 90 days of the signing of this agreement.

3. The Department will meet with the licensee four times within 12 months of the signing of this agreement. The purpose of these meetings will be to insure that the licensee is actively reviewing the taxi ordinance, and to answer any questions that the licensee or its drivers have regarding them, and further that they are operating their business in compliance with these provisions.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RE&E** – Your Committee recommends passage of the accompanying resolution supporting the University of Minnesota's Efforts to become Carbon-Neutral.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-237, supporting the University of Minnesota's Efforts to become Carbon-Neutral, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-237**

**By Gordon**

**Supporting the University of Minnesota's Efforts to Become Carbon-Neutral.**

Whereas, the University of Minnesota has a comprehensive planning effort underway to implement sustainability goals, including a Regents' policy to reduce dependence on nonrenewable resources and implement a sustainability metric system on campus; and

Whereas, President Robert Bruininks signed the *President's Climate Commitment* in January of 2008, which pledges the University of Minnesota to voluntarily achieve climate neutrality; and

Whereas, the University is committed to engaging students, faculty and staff in the process to implement sustainability goals for the University; and

Whereas, the Minnesota Student Association, on behalf of the University of Minnesota students, has resolved and organized to support the transition by the University of Minnesota to coal-free sources of power and achieving climate neutrality at University campuses throughout the state; and

Whereas, the University has made significant capital improvements and operational changes to reduce its emissions and transitioned from primarily producing steam by burning coal to now producing less than 30% of its steam content by burning coal; and

Whereas, the University burns an estimated 38,000 tons of coal a year; and

Whereas, Xcel Energy's Highbridge Plant in St. Paul and Riverside Plant in Minneapolis were both recently converted from coal to natural gas making the Central University Steam Plant on the Mississippi River in Southeast Minneapolis the only remaining coal burning energy plant in the Twin Cities; and

Whereas, fine air particulates produced by burning coal contribute to air pollution, unhealthy air days and asthma; and

Whereas, many adopted City goals support reduction of emissions from burning carbon based fossil fuels, including:

- The Climate Change Sustainability Indicator, which calls for a 17% citywide reduction of carbon emissions by 2020

- The Renewable Energy Sustainability Indicator, which calls for a 10% citywide increase in renewable energy production by 2014

- The Air Quality Sustainability Indicator, which calls for a reduction in air toxins;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis commends the University of Minnesota for working to establish a campus sustainability committee and supports the University of Minnesota and the Minnesota Student Association in their efforts to become climate neutral, transition away from burning coal, and fully implement the Regents policy on Sustainability and Energy Efficiency and the President's Climate Commitment.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RE&E** - Your Committee, having under consideration the property located at 401 Logan Av N, which has been determined by the Department of Regulatory Services to constitute a nuisance under the Minneapolis Code of Ordinances; and a Director's Order to Demolish the property having been issued to the property owner, which was subsequently appealed to the Nuisance Condition Process Review Panel, now recommends concurrence with the recommendation of the Panel that said Order be upheld and that the structure located at 401 Logan Av N be demolished, in accordance with the Findings of Fact, Conclusions and Recommendation on file in the Office of the City Clerk, which are hereby made a part of this report by reference.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RE&E** - Your Committee, having under consideration the Rental Dwelling License held by William Cook for the property located at 3644 Park Av, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet licensing standards pursuant to Sections 244.1910 of the Minneapolis Code of Ordinances relating to unpaid administrative citations, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk which are hereby made a part of this report by reference.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RE&E** - Your Committee, having under consideration the Rental Dwelling License held by Azzam Sabri for the property located at 1903 Girard Av S, and a hearing having been held before an administrative hearing officer who issued Findings of Fact, Conclusions and a Recommendation that the rental dwelling license be revoked, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 of the Minneapolis Code of Ordinances relating to the number of rental dwelling units exceeding the maximum number allowed by zoning; over occupancy or illegal occupancy of the rental dwelling units; and that rental dwelling units not be used or converted to rooming units, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk which are hereby made a part of this report by reference.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**The REGULATORY, ENERGY & ENVIRONMENT and TRANSPORTATION & PUBLIC WORKS Committees submitted the following report:**

**RE&E & T&PW** - Your Committee, having under consideration the Sewer Availability Charge (SAC) Program, now recommends passage of the following resolutions:

a. rescinding Resolution 2004R-473 entitled "Establishing Sewer Service Availability and Connection Charges to pay Reserve Capacity Costs in accordance with Metropolitan Council Environmental Service Division policy and pricing", passed October 2, 2004.

b. establishing Service Availability Charge and Connection Charges to pay Reserve Capacity Costs in accordance with Metropolitan Council Environmental Service Division Policy and Pricing.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**RESOLUTION 2010R-238**  
**By Glidden and Colvin Roy**

**Rescinding Resolution 2004R-473 entitled "Establishing Sewer Service Availability and Connection Charges to pay Reserve Capacity Costs in accordance with Metropolitan Council Environmental Service Division policy and pricing", passed October 22, 2004.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be and is hereby rescinded.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-239, establishing Service Availability Charge and Connection Charges to pay Reserve Capacity Costs in accordance with Metropolitan Council Environmental Service Division Policy and Pricing, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-239**  
**By Glidden and Colvin Roy**

**Establishing Service Availability Charge and Connection Charges to pay Reserve Capacity Costs in accordance with Metropolitan Council Environmental Service Division Policy and Pricing.**

Whereas, the Metropolitan Council Environmental Services Division has determined to reserve unused capacity in the metropolitan disposal system each year commencing in 1973 for local

government units in which new buildings to be connected to the system or increased volume connections to the system are commenced during such year; and to allocate the debt service costs of such unused capacity for the year among such local government units; and

Whereas, in order for the City to pay such costs allocated to it each year, it is necessary to establish service availability charges and connection charges for all buildings and uses;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That for the purpose of paying costs of reserve capacity allocated to the City each year by the Metropolitan Council Environmental Services Division, the Council hereby adopts by reference the Metropolitan Council Environmental Services Division pricing for service availability charges (SAC). The charge for each building or structure shall be equal to the number of units of sewage volume which it will discharge, and shall be subject to the conditions and rates set by the Metropolitan Council Environmental Services Division.

Be It Further Resolved that this charge shall be collected prior to the issuance of a business license, a building permit or water and/or sewer connection permits.

Be It Further Resolved that the Regulatory Services Department shall be responsible for the administration of the program and shall prepare or revise business license, building permit or sewage connection permit application forms to provide information necessary for the computation of the number of units assignable to the building, structure, or use in question, and shall collect the applicable charge before issuance of a permit or license. The Regulatory Services Department is required to make such information available to the Metropolitan Council Environmental Services Division. If upon filing a report covering such permit with the Metropolitan Council Environmental Services Division, the Commission determines that a greater number of units is assignable to the building, structure, or use in question, any additional amount of cost allocated to the City as a result shall be paid by the property owner or by the person or company to whom the permit or license was granted.

Be It Further Resolved that the Regulatory Services Department is further directed to place receipts of this charge in the Sanitary Sewer Fund and to bill all collection and administrative costs they incur for this resolution to the Sanitary Sewer Fund on a periodic basis.

Be It Further Resolved that all provisions are effective upon passage of this resolution.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**The REGULATORY, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following report:**

**RE&E & W&M/Budget** - Your Committee, having under consideration the low bid received on OP #7284 submitted by BD Construction, LLC, in the amount of \$37,835, to furnish and deliver all labor, materials, equipment and incidentals necessary to accomplish the demolition and site clearance of an apartment building located at 2220 Marshall Street NE for the Department of Regulatory Services, now recommends the following:

**RE&E** - acceptance of the bid submitted by BD Construction, LLC, all in accordance with City specifications. Further, that the proper City officers be authorized to execute a contract for said project.

**W&M/Budget** - that the bid submitted by BD Construction, LLC, **be sent forward without recommendation.**

Glidden moved that the report be postponed. Seconded.

Adopted upon a voice vote 5/14/2010.

Absent - Samuels, Johnson.

**The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:**

**T&PW** - Your Committee recommends that the proper City officers be authorized to negotiate and execute easements with private property owners to acquire Temporary (Construction) and Permanent Easements for the 10th Avenue Southeast Storm Tunnel Outlet construction project.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**T&PW** - Your Committee, having under consideration the flood mitigation pond serving Flood Area 1 (at 42nd Ave N from approximately Newton Ave to Knox Ave), now recommends that the proper City officers be authorized to execute a maintenance agreement with Webber Camden Neighborhood Organization allowing the construction and maintenance of a sign naming the pond "Camden Central Pond".

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**T&PW** - Your Committee recommends that the proper City officers be authorized to execute an agreement with the Metropolitan Council for the amount of \$150,000 for the acceptance of the 2008 SAFETEA-LU New Freedom Program Funds for the installation and evaluation of Accessible Pedestrian Signals and extending the term of the agreement to September 30, 2011.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**T&PW** - Your Committee, having under consideration the Dowling Ave N (Thomas Ave N to Washington Ave N) Street Resurfacing Project, Special Improvement of Existing Street No 2950, now recommends passage of the accompanying resolution designating the locations and streets to be improved in the project.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-240, designating the improvement of certain existing streets in the Dowling Ave N (Thomas Ave N to Washington Ave N) Street Resurfacing Project, Special Improvement of Existing Street No 2950, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-240**

**By Colvin Roy**

**2010 STREET RESURFACING PROGRAM  
DOWLING AVE N (THOMAS AVE N TO WASHINGTON AVE N)  
STREET RESURFACING PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 2950**

**Designating the improvement of certain existing streets in the 2010 Street Resurfacing Program at the locations described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing related improvements as needed:

Dowling Ave N from Thomas Ave N to Washington Ave N.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**T&PW** - Your Committee, having received a cost estimate of \$1,067,683 for street resurfacing improvements and a list of benefited properties for certain locations in the Dowling Ave N (Thomas Ave N to Washington Ave N) Street Resurfacing Project, Special Improvement of Existing Street No 2950, as designated by Resolution 2010R-240 passed May 14, 2010, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment

against the list of benefited properties by applying the 2010 Uniform Assessment Rates as per Resolution 2010R-038, passed January 29, 2010.

Your Committee further recommends that a public hearing be held on June 8, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**T&PW** - Your Committee, having under consideration the Shingle Creek Parkway (Humboldt Ave N to 45th Ave N) Street Resurfacing Project, and the 45th Ave N (44th Ave N to Lyndale Ave N) Area Street Resurfacing Project, Special Improvement of Existing Street No 5210, now recommends passage of the accompanying resolution designating the locations and streets to be improved in the project.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-241, designating the improvement of certain existing streets in the Shingle Creek Parkway (Humboldt Ave N to 45th Ave N) Street Resurfacing Project, and the 45th Ave N (44th Ave N to Lyndale Ave N) Area Street Resurfacing Project, Special Improvement of Existing Street No 5210, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-241**

**By Colvin Roy**

**2010 STREET RESURFACING PROGRAM  
SHINGLE CREEK PARKWAY (HUMBOLDT AVE N TO 45TH AVE N) AND  
45TH AVE N (44TH AVE N TO LYNDALE AVE N)  
STREET RESURFACING PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5210**

**Designating the improvement of certain existing streets in the 2010 Street Resurfacing Program at the locations described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing related improvements as needed:

Shingle Creek Parkway from Humboldt Ave N to 45th Ave N; and

45th Ave N from 44th Ave N to Lyndale Ave N.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**T&PW** - Your Committee, having received cost estimates of \$174,800 (Shingle Creek Parkway) and \$169,480 (45th Ave N) for street resurfacing improvements and a list of benefited properties for certain locations in the Shingle Creek Parkway (Humboldt Ave N to 45th Ave N) Street Resurfacing Project, and the 45th Ave N (44th Ave N to Lyndale Ave N) Street Resurfacing Project, Special Improvement of Existing Street No 5210, as designated by Resolution 2010R-241 passed May 14, 2010, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing

Special Improvement Assessment against the list of benefited properties by applying the 2010 Uniform Assessment Rates as per Resolution 2010R-038, passed January 29, 2010.

Your Committee further recommends that a public hearing be held on June 8, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:**

**T&PW & W&M/Budget** - Your Committee, having under consideration the Nicollet Ave (Minnehaha Creek to 58th St) Street Resurfacing Project, Special Improvement of Existing Street No 5212, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the project.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-242, ordering the work to proceed and adopting the special assessments for the Nicollet Ave (Minnehaha Creek to 58th St) Street Resurfacing Project, Special Improvement of Existing Street No 5212, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-242  
By Colvin Roy and Hodges**

**2010 STREET RESURFACING PROGRAM  
NICOLLET AVE (MINNEHAHA CREEK TO 58TH ST)  
STREET RESURFACING PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5212**

**Ordering the work to proceed and adopting the special assessments for the Nicollet Ave (Minnehaha Creek to 58th St) Street Resurfacing Project.**

Whereas, a public hearing was held on May 4, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2010R-172, passed April 16, 2010 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2010R-172, passed April 16, 2010.

Be It Further Resolved that the proposed special assessments in the total amount of \$136,054.90 for the Nicollet Ave (Minnehaha Creek to 58th St) Street Resurfacing Project, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest

be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2011 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2011 real estate tax statements.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-243, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$136,050 for the purpose of paying the assessed cost of street improvements in the Nicollet Ave (Minnehaha Creek to 58th St) Street Resurfacing Project, Special Improvement of Existing Street No 5212, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-243**  
**By Colvin Roy and Hodges**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$136,050 for certain purposes other than the purchase of public utilities.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Nicollet Ave (Minnehaha Creek to 58th St) Street Resurfacing Project, Special Improvement of Existing Street No 5212, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments, payable in the same manner as real estate taxes.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**T&PW & W&M/Budget** - Your Committee, having under consideration the Chicago Ave (Lake St to 38th St E) Street Resurfacing Project, Special Improvement of Existing Street No 5209, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the project.

Colvin Roy moved that the resolution be amended by extending the term of the repayment period for the special assessment for the property located at 3641 Chicago Avenue from five (5) years to seven (7) years. Seconded.

Adopted by unanimous consent.

Absent - Samuels, Johnson.

The report, as amended, was adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-244, ordering the work to proceed and adopting the special assessments for the Chicago Ave (Lake St to 38th St E) Street Resurfacing Project, Special Improvement of Existing Street No 5209, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

**MAY 14, 2010**

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The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-244  
By Colvin Roy and Hodges**

**2010 STREET RESURFACING PROGRAM  
CHICAGO AVE (LAKE ST TO 38TH ST E) STREET RESURFACING PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5209**

**Ordering the work to proceed and adopting the special assessments for the Chicago Ave  
(Lake St to 38th St E) Street Resurfacing Project.**

Whereas, a public hearing was held on May 4, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2010R-173, passed April 16, 2010 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2010R-173, passed April 16, 2010.

Be It Further Resolved that the proposed special assessments in the total amount of \$268,795.77 for the Chicago Ave (Lake St to 38th St E) Street Resurfacing Project, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2011 real estate tax statements.

Be It Further Resolved that the property identified as 3641 Chicago Avenue, Property ID 02-028-24-34-0214, be collected in seven (7) successive equal annual principal installments beginning on the 2011 real estate tax statements and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2011 real estate tax statements.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-245, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$268,795 for the purpose of paying the assessed cost of street improvements in the Chicago Ave (Lake St to 38th St E) Street Resurfacing Project, Special Improvement of Existing Street No 5209, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-245  
By Colvin Roy and Hodges**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds  
in the amount of \$268,795 for certain purposes other than the purchase of public utilities.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Chicago Ave (Lake St to 38th St E) Street Resurfacing Project, Special Improvement of Existing Street No 5209, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments, payable in the same manner as real estate taxes.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**T&PW & W&M/Budget** - Your Committee, having under consideration the ABC Ramp parking facilities, now recommends that the proper City officers be authorized to negotiate and execute a contract with IN Marketing and Design, in the amount of \$150,000 per year, renewable for up to 5 years, to provide the overall management of all ABC Ramp marketing, communication, and public relations activities in coordination with the Minnesota Department of Transportation and the City of Minneapolis, all in accordance with specifications outlined in the Request for Proposals.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the following bids submitted to the Public Works Department:

- a) OP 7264, Accept low bid of Martin Marietta Materials, for an estimated annual expenditure of \$400,000.00, to furnish and deliver gray/black Class A aggregate to the Public Works Street Division as needed through March 31, 2011; and
- b) OP 7269, Accept low bid of Standard Sidewalk, Inc., for an estimated annual expenditure of \$1,914,600.00, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the construction of concrete sidewalks, curbs, gutters, alleys, and drive approaches for the City of Minneapolis Public Works Department as per specifications.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said services, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Gordon moved to divide the report so as to consider separately that portion of the report relating to item (b). Seconded.

Adopted by unanimous consent.

Absent - Samuels, Johnson.

Gordon moved adoption of the balance of the report. Seconded.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Approved by Mayor Rybak 5/17/2010.

(Published 5/18/2010)

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the following bids submitted to the Public Works Department:

- b) OP 7269, Accept low bid of Standard Sidewalk, Inc., for an estimated annual expenditure of \$1,914,600.00, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the construction of concrete sidewalks, curbs, gutters, alleys, and drive approaches for the City of Minneapolis Public Works Department as per specifications.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said services, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 5/14/2010. Yeas, 10; Nays 1 as follows:

Yeas - Reich, Hofstede, Schiff, Colvin Roy, Tuthill, Quincy, Glidden, Goodman, Hodges, Lilligren.

Nays - Gordon.

Absent - Samuels, Johnson.

**The WAYS & MEANS/BUDGET Committee submitted the following reports:**

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-246, authorizing settlement of *Ronald Guy v. City of Minneapolis*, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-246**

**By Hodges**

**Authorizing legal settlement.**

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of *Ronald Guy v. City of Minneapolis*, by payment of \$25,000 to Ronald Guy, and his attorney, Paul F. McEllistrem, from the Internal Service Self Insurance Fund (06900-1500100-145400).

Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the settlement.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to amend the Unisys managed services contract C-25200 by \$289,900 for an increase in scope to simplify and enhance the City's security of its public facing internet accessible services (DMZ 2.0 project). No additional appropriation required. BIS will fund through the use of CLIC funds allocated to the department.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**W&M/Budget** - Your Committee recommends approval of the June 2010 utility billing insert on behalf of the 2nd Ward Office about ordinances and courtesy around recreational fires. (Petn 274258)

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for City of Minneapolis Medical Insurance for coverage effective January 1, 2011.

It is further recommended that Human Resources report back to present results of proposal evaluations to the Ways & Means/Budget Committee before entering into final contract negotiations with the selected vendors.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Approved by Mayor Rybak 5/17/2010.

(Published 5/18/2010)

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute a contract with the University of Minnesota TCF Bank Stadium to receive revenue for a one-year period from providing traffic management services for stadium events. The estimated revenue for 2010 is approximately \$50,000.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**The ZONING & PLANNING Committee submitted the following reports:**

**Z&P** - Your Committee, having under consideration the appeal filed by Jack Boarman on behalf of Second Street Holding from the decision of the Heritage Preservation Commission approving with conditions an application for Certificate of Appropriateness to allow for the demolition of the Union Railway Storage Company Building at 520 1/2 2nd St SE, a contributing structure to the Saint Anthony Falls Historic District and for the proposed construction of a new apartment building at 518, 520, and 520 1/2 2nd St SE, now recommends the following actions regarding the appealed conditions on the approved Certificates:

a) That the appeal of condition 3 be granted, and a maximum building height of 76 feet, with 85 feet to the top of the elevator penthouse, be approved;

b) That the appeal of condition 4 be granted in part to approve extending the building wall 14 feet beyond the existing rear building wall, but denying the request for an addition of a staircase and trellis an additional 5.25 feet beyond the proposed southern building wall;

c) That the appeal of condition 5 be granted in part to allow windows in the cement board siding openings to be flush with the exterior, and denied in part so as to require that windows in the parking garage portion be recessed a minimum of three inches;

d) That the appeal of condition 6 be denied and the requirement that window openings throughout the building have a consistent and repeated pattern be upheld; and

e) That the appeal of condition 7 **be sent forward without recommendation.**

Your Committee further recommends that the findings prepared by the Department of Community Planning & Economic Development staff be adopted.

Schiff moved to substitute the following report for the above report:

**Z&P** - Your Committee, having under consideration the appeal filed by Jack Boarman on behalf of Second Street Holding from the decision of the Heritage Preservation Commission approving with conditions an application for Certificate of Appropriateness to allow for the demolition of the Union Railway Storage Company Building at 520 1/2 2nd St SE, a contributing structure to the Saint Anthony Falls Historic District and for the proposed construction of a new apartment building at 518, 520, and 520 1/2 2nd St SE, now recommends the following actions regarding the appealed conditions on the approved Certificates:

a) That the appeal of condition 3 be granted, and a maximum building height of 76 feet, with 85 feet to the top of the elevator penthouse, be approved;

b) That the appeal of condition 4 be granted in part to approve extending the building wall 14 feet beyond the existing rear building wall, but denying the request for an addition of a staircase and trellis an additional 5.25 feet beyond the proposed southern building wall;

c) That the appeal of condition 5 be denied and the requirement that windows in the cement board siding openings and parking garage portions of the building shall be recessed a minimum of three inches upheld with HPC staff findings adopted;

d) That the appeal of condition 6 be denied and the requirement that window openings throughout the building have a consistent and repeated pattern be upheld with HPC staff findings adopted; and

e) That the appeal of condition 7 be denied and the requirement that window openings in the garage portion of the new construction shall be comparable to the other window openings in size and direction and that glass block windows are not approved be upheld with HPC staff findings adopted. Seconded.

The motion to substitute was adopted by unanimous consent.

Absent - Samuels, Johnson.

Goodman moved to divide the report so as to consider separately that portion relating to item "c". Seconded.

Adopted by unanimous consent.

Absent - Samuels, Johnson.

The balance of the substituted report was adopted 5/14/2010.

Absent - Samuels, Johnson.

**Z&P** - Your Committee, having under consideration the appeal filed by Jack Boarman on behalf of Second Street Holding from the decision of the Heritage Preservation Commission approving with conditions an application for Certificate of Appropriateness to allow for the demolition of the Union Railway Storage Company Building at 520 1/2 2nd St SE, a contributing structure to the Saint Anthony Falls Historic District and for the proposed construction of a new apartment building at 518, 520, and 520 1/2 2nd St SE, now recommends the following actions regarding the appealed conditions on the approved Certificates:

c) That the appeal of condition 5 be denied and the requirement that windows in the cement board siding openings and parking garage portions of the building shall be recessed a minimum of three inches upheld with HPC staff findings adopted.

Lost. Yeas, 4; Nays, 7 as follows:

Yeas - Hofstede, Schiff, Colvin Roy, Tuthill.

Nays - Gordon, Reich, Quincy, Glidden, Goodman, Hodges, Lilligren.

Absent - Samuels, Johnson.

Schiff moved to adopt item "c", as follows:

c) That the appeal of condition 5 be granted in part to allow windows in the cement board siding openings to be flush with the exterior, and denied in part so as to require that windows in the parking garage portion be recessed a minimum of three inches. Seconded.

Adopted 5/14/2010. Yeas, 6; Nays, 5 as follows:

Yeas - Gordon, Quincy, Glidden, Goodman, Hodges, Lilligren.

Nays - Reich, Hofstede, Schiff, Colvin Roy, Tuthill.

Absent - Samuels, Johnson.

**Z&P** - Your Committee, having under consideration the appeal filed by Jack Boarman on behalf of Second Street Holding from the decision of the Heritage Preservation Commission approving with conditions an application for Certificate of Appropriateness to allow for the demolition of the Union Railway Storage Company Building at 520 1/2 2nd St SE, a contributing structure to the Saint Anthony Falls Historic District and for the proposed construction of a new apartment building at 518, 520, and 520 1/2 2nd St SE, now recommends the following actions regarding the appealed conditions on the approved Certificates:

Colvin Roy moved that the remainder of the findings prepared by the Department of Community Planning & Economic Development staff be adopted, except as to conditions 3 and 4, and condition 5 with regard to the windows in the main building. Seconded.

Adopted 5/14/2010. Yeas, 11; Nays 1 as follows:

Yeas - Gordon, Reich, Schiff, Colvin Roy, Tuthill, Quincy, Glidden, Goodman, Hodges, Lilligren.

Nays - Hofstede.

Absent - Samuels, Johnson.

**Z&P** - Your Committee concurs in the recommendation of the Heritage Preservation Commission in granting the petition of Thomas and Linda Lincoln for historic variances for a property that is part of the Fifth Street Southeast Historic District at 510 7th Ave SE, to increase the allowed impervious surface coverage from 65 to 67.1%, and to reduce the required separation between the principal structure and an accessory structure from 6 to 3.5 feet, and adopting the related findings prepared by the HPC staff.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**Z&P** - Your Committee concurs in the recommendation of the Planning Commission granting the application of Aeon to vacate all of the drainage and utility easements in Lots 1 and 2, Block 1, of the East Village Subdivision, property located at 1105 8th St S and 1401 11th Ave S (#1567), subject to retention of easement rights by Xcel Energy, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said drainage and utility easements.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-247, vacating all of the dedicated drainage and utility easements in Lots 1 and 2, Block 1, East Village Subdivision, as shown on the plat as recorded by the Hennepin County Surveyor, Hennepin County, Minnesota, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-247**

**By Schiff**

**Vacating all of the dedicated drainage and utility easements in Lots 1 and 2, Block 1, East Village Subdivision, as shown on the plat as recorded by the Hennepin County Surveyor, Hennepin County, Minnesota. (Vacation File No. 1567).**

Resolved by The City Council of The City of Minneapolis:

That all that part of the dedicated drainage and utility easements in Lots 1 and 2, Block 1, East Village Subdivision, being 5 feet in width unless otherwise indicated, and adjoining lot lines, and 10 feet in width unless otherwise indicated and adjoining right-of-way lines, as shown on the plat as recorded by the Hennepin County Surveyor, Hennepin County, Minnesota are hereby vacated except that such vacations shall not affect the existing easement right and authority of Xcel Energy, its successors and assigns, to enter upon that portion of the aforescribed easement which is described in regard to said corporations as follows, to wit:

**As to Xcel Energy:** Where facilities currently exist in the 5 foot easements along the most easterly property lines of Lot 1 and Lot 2 and where facilities currently exist in the 10 foot easement along the common lot line between Lot 1 and Lot 2.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said easement upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**MOTION**

Hodges moved that the regular payrolls for all City employees under City Council jurisdiction for the month of June, 2010, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

**MAY 14, 2010**

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**RESOLUTIONS**

Resolution 2010R-248, declaring the week of May 16, 2010 as National Public Works Week, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-248**

**By Colvin Roy, Reich, Gordon, Hofstede, Johnson, Samuels,  
Lilligren, Goodman, Glidden, Schiff, Tuthill, Quincy, and Hodges**

**Declaring the week of May 16, 2010 as National Public Works Week.**

Whereas, the United States Senate resolved in 1960 to affirm the first National Public Works Week to be held the third full week in May; and

Whereas, National Public Works Week is a celebration of men and women in North America who provide and maintain the infrastructure and services collectively known as public works; and

Whereas, public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the residents and visitors of Minneapolis; and

Whereas, the Minneapolis City Council seeks to recognize its skilled and knowledgeable Public Works employees who serve residents and other city departments every day with dedication, in the interest of the public good; and

Whereas, energy policy, facility management, solid waste and recycling, stormwater and sewer, fleet management, and bicycling and pedestrian facilities place Public Works at the center of Minneapolis environmental initiatives; and

Whereas, the immediate action following the August 2009 tornado proved once again that Public Works is a critical member of the city's first responder team; and

Whereas, the Minneapolis Public Works Department emphasizes the importance of its employees by dedicating time and resources to training, workplace safety, and by making special efforts to recognize the service they provide Minneapolis; and

Whereas, Minneapolis was recently named America's best bike city by Bicycling Magazine and will build on that reputation with a number of new bikeway and trail projects in the 2010 construction season; and

Whereas, 2010 marks the 50th anniversary of "National Public Works Week";

Now, Therefore Be It Resolved by The City Council of The City of Minneapolis:

That the City Council acknowledges the significant daily contribution that the employees within the Public Works Department of the City of Minneapolis provide to the citizens and businesses throughout the City, during National Public Works Week.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

Resolution 2010R-249, supporting bid proposals for the purpose of securing the Democratic National Convention in the year of 2012, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-249**

**By Lilligren and Glidden**

**Supporting bid proposals for the purpose of securing the Democratic National Convention in the year of 2012.**

Whereas, every four years the national political parties convene in a city within the United States, for the purpose of nominating Presidential and Vice Presidential candidates; and

Whereas, these conventions result in intense national and international focus on the host cities and states; and

Whereas, these conventions will result in significant economic development opportunities and benefits to corporations and individuals in the host cities; and

Whereas, these conventions can attract in excess of 20,000 attendees generating nearly \$100 million in economic benefit for the host cities; and

Whereas, many of these attendees extend their travel to vacations within the state and region in which the host city is located; and

Whereas, the City of Minneapolis, the metropolitan area and the State of Minnesota have requisite facilities and accommodations required by the national political conventions; and

Whereas, the City of Minneapolis and Meet Minneapolis have received an invitation to bid on the democratic political convention by the Democratic National Committee;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council shall support the solicitation and hosting of the Democratic National Convention in the State of Minnesota in the year 2012.

Adopted 5/14/2010. Yeas, 10; Nays, 1 as follows:

Yeas - Reich, Hofstede, Schiff, Colvin Roy, Tuthill, Quincy, Glidden, Goodman, Hodges, Lilligren.

Nays - Gordon.

Absent - Samuels, Johnson.

Resolution 2010R-250, honoring the Black Forest Inn for its contributions to the City of Minneapolis on its 45th Anniversary, was adopted 5/14/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-250**

**By Reich, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman,  
Glidden, Schiff, Tuthill, Quincy, Colvin Roy, and Hodges**

**Honoring the Black Forest Inn for its contributions to the City of Minneapolis on its 45th Anniversary.**

Whereas, in May, 1965, brothers Erich and Gerhard Christ opened the Black Forest Inn at 26th Street and Nicollet Avenue and created a Minneapolis institution, cherished by residents and visitors; and

Whereas, Joanne Christ, co-owner married Erich in 1968, and they committed to running the restaurant with openness and flexibility, always trying to see new possibilities; and

Whereas, in the mid 1970's Erich and Joanne strengthened their commitment to the community when they purchased the property on which their business stood and the property next door, which was then vacant commercial space and an eyesore; and

Whereas, as soon as the restaurant became successful Erich and Joanne took steps unusual in the restaurant industry to offer employee's benefits such as health insurance and a profit sharing program, which supported their belief that as a family operated business, it always made sense to keep employee benefits; and

Whereas, in the 80's the business continued to expand and a large production kitchen, a bakery, and a butcher area were added so that everything they served could be handmade onsite; and

Whereas, the 90's were a challenging time with the explosion of the restaurant industry in the Twin Cities and many changes were made during this time in an effort to remain fresh and attractive, a banquet and meeting room were added next to the courtyard. Additionally beginning in the 90's, the Black Forest Inn began selling its handmade spaetzle noodles through a distributor to local grocery stores, which like the beer garden was an idea started as a way to enhance services to their customers; and

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Whereas, throughout challenging times the Black Forest Inn has been an island of stability, while the entire Christ family has been very active and involved in the neighborhood and business community; for example, they worked the creation of EATSTREET as a destination spot for tourists and locals, resulting in over 50 restaurants, deli's and specialty grocery stores on this mile and a half strip of Nicollet; and

Whereas, the Christ family continues to expand the offerings to include live music on holidays and during Oktoberfest, additionally seasonal, fresh and innovative specials have been added to both the food and bar menus, artistic murals and ceiling paintings and other improvement projects; and

Whereas, locally grown ingredients have afforded the Black Forest Inn a special kinship with farmers and small food purveyors, and the restaurant has developed relationships with the agricultural community, and they now use local, organic meats and produce; and

Whereas, the Christ family continues to be a big voice for non-profit causes such as "Dining Out for Life", Harvest for the Hungry, Minneapolis Heart Institute Foundation and Heifer International, and additionally, they donate gift certificates to several hundred small non profits each year; and

Whereas, the Black Forest Inn continues to be a family run operation that strives for the highest compliance to the regulations of the City of Minneapolis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City thanks the Christ Family and the Black Forest Inn employees and staff for their community for their presence and commitment to our City.

Be It Further Resolved that the City hereby commends Black Forest Inn for their valuable contributions to our City, and recognizes May 14, 2010 as Black Forest Inn Day in Minneapolis.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

#### **UNFINISHED BUSINESS**

Pursuant to previous notice, Colvin Roy moved to introduce the subject matter of an ordinance amending Title 17, Chapter 449 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Decorations and Banners* for first reading and referral to the Transportation & Public Works Committee (amending the regulations related to banners in the right-of-way). Seconded.

Adopted 5/14/2010.

Absent - Samuels, Johnson.

#### **NEW BUSINESS**

Schiff gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20, Chapter 543 of the Minneapolis Code of Ordinances relating to *Zoning Code: On-Premise Signs* (amending regulations pertaining to dynamic signs).

Schiff moved to adjourn. Seconded.

Adopted upon a voice vote 5/14/2010.

Absent - Samuels, Johnson.

Tina Sanz,  
Assistant City Clerk.

Unofficial Posting: 5/17/2010  
Official Posting: 5/21/2010  
Corrections: 6/24/2010; 11/10/2020